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10/092,189	03/06/2002	D. Travis Lay	10018556-1	8102

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EXAMINER

POKRZYWA, JOSEPH R

ART UNIT	PAPER NUMBER
	2622

DATE MAILED: 03/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary	Application No.	Applicant(s)
	10/092,189	LAY ET AL.
	Examiner Joseph R. Pokrzywa	Art Unit 2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 12 December 2005.
 2a) This action is **FINAL**. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-20 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 1-20 is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) <input type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____.
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____.

DETAILED ACTION

Response to Amendment

1. Applicant's amendment was received on 12/12/05, and has been entered and made of record. Currently, **claims 1-20** are pending.

Claim Objections

2. The objection to **claim 17**, as cited in the Office action dated 9/26/05, is withdrawn, as the current amendment overcomes the noted problems.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. **Claims 1, 5, 6, 8-11, 15, 16, and 18-20** are rejected under 35 U.S.C. 102(b) as being anticipated by Kadota (U.S. Patent Number 5,937,151, cited in the Office action dated 9/26/05 under Pertinent Prior Art).

Regarding **claim 1**, Kadota discloses a method for informing a user in a GUI environment whether an output device is currently warmed up for printing (column 6, lines 15-60, and column 10, lines 1-15), the method comprising determining whether the output device is warmed up for printing (column 9, line 52-column 10, line 15), providing a first indication to the user if the

output device is not warmed up for printing (column 10, lines 1-15), and providing a second indication to the user if the output device is warmed up for printing (column 10, lines 1-15).

Regarding **claim 5**, Kadota discloses the method discussed above in claim 1, and further teaches of receiving a status indication from the output device, and the determination whether the output device is warmed up for printing comprises utilizing the status indication (column 9, line 23-column 10, line 15).

Regarding **claim 6**, Kadota discloses the method discussed above in claim 5, and further teaches of requesting the status indication from the output device (column 9, line 23-column 10, line 15).

Regarding **claim 8**, Kadota discloses the method discussed above in claim 1, and further teaches of accepting a request to warm up the output device for printing, and notifying the output device to become warmed up for printing (column 9, line 23-column 10, line 15).

Regarding **claim 9**, Kadota discloses the method discussed above in claim 8, and further teaches of receiving a notification from the output device that the output device is warmed up for printing (column 9, line 23-column 10, line 15).

Regarding **claim 10**, Kadota discloses the method discussed above in claim 9, and further teaches of providing the second indication to the user in response to the receiving the notification from the output device that the output device is ready for printing (column 9, line 23-column 10, line 15).

Regarding **claim 11**, Kadota discloses a system configured to inform a user in a GUI environment whether an output device is currently warmed up for printing (column 6, lines 15-60, and column 10, lines 1-15), the system comprising a computer instruction storage medium

containing a set of computer instructions for determining whether the output device is warmed up for printing (column 9, line 52-column 10, line 15), a set of computer instructions for providing a first indication of the user if the output device is not warmed up for printing (column 10, lines 1-15), and a set of computer instructions for providing a second indication to the user if the output device is warmed up for printing (column 10, lines 1-15).

Regarding *claim 15*, Kadota discloses the system discussed above in claim 11, and further teaches of a set of computer instructions for receiving a status indication from the output device, and a set of computer instructions for determining whether the output device is warmed up for printing comprises utilizing the status indication (column 9, line 23-column 10, line 15).

Regarding *claim 16*, Kadota discloses the system discussed above in claim 15, and further teaches of a set of computer instructions for requesting the status indication from the output device (column 9, line 23-column 10, line 15).

Regarding *claim 18*, Kadota discloses the system discussed above in claim 11, and further teaches of a set of computer instructions for accepting a request to warm up the output device for printing, and a set of computer instructions for notifying the output device to become warmed up for printing (column 9, line 23-column 10, line 15).

Regarding *claim 19*, Kadota discloses the system discussed above in claim 18, and further teaches of a set of computer instructions for receiving a notification from the output device that the output device is warmed up for printing (column 9, line 23-column 10, line 15).

Regarding *claim 20*, Kadota discloses a computer readable medium containing computer instructions for determining whether an output device is sufficiently heated for printing (column 9, line 52-column 10, line 15), providing a first indication to a user if the output device is not

sufficiently heated for printing (column 10, lines 1-15), and providing a second indication to the user if the output device is sufficiently heated for printing (column 10, lines 1-15).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. **Claims 2-4, 7, 12-14, and 17** are rejected under 35 U.S.C. 103(a) as being unpatentable over Kadota (U.S. Patent Number 5,937,151, cited in the Office action dated 9/26/05 under Pertinent Prior Art) in view of Webb *et al.* (U.S. Patent Number 5,727,135, cited in the Office action dated 9/26/05).

Regarding **claims 2 and 12**, Kadota discloses the method and system discussed above in claims 1 and 17, respectively, but fails to expressly disclose if providing the first indication comprises presenting a button in a first color, and providing the second indication comprises presenting the button in a second color.

Webb discloses a method for informing a user in a GUI environment whether an output device is currently ready for printing (see abstract, and column 7, line 54-column 8, line 31) comprising determining whether the output device is *ready* for printing (column 19, lines 1-59, and column 22, line 52-column 23, line 10), providing a first indication to the user if the output device is *not ready* for printing (printer button 304 having alert 306, seen in Fig. 8, column 22, line 52-column 23, line 10), and providing a second indication to the user if the output device is

ready for printing (printer button 303 and 305, seen in Fig. 8, column 19, lines 1-59, and column 22, line 52-column 23, line 10). Further, Webb teaches that providing the first indication comprises presenting a button in a first color (column 2, lines 19-26, and column 6, lines 56-column 7, line 18), and providing the second indication comprises presenting the button in a second color (column 2, lines 19-26, and column 6, lines 56-column 7, line 18).

Kadota & Webb are combinable because they are from the same field of endeavor, being systems that display a status of a connected printer device. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to provide the teachings of Webb within the system of Kadota. The suggestion/motivation for doing so would have been that Kadota's system would become more user-friendly with the display teachings of Webb, as a user would see different indications for different statuses of the printer, thereby allowing a user to clearly interpret the message, as recognized by Webb in column 6, lines 56-column 7, line 18. Therefore, it would have been obvious to combine the teachings of Webb with the system of Kadota to obtain the invention as specified in claims 2 and 12.

Regarding **claims 3 and 13**, Kadota and Webb disclose the method and system discussed above in claims 2 and 12, respectively, and Webb further teaches that the presenting the button comprises presenting the button on an application button bar (column 10, line 7-column 11, line 10, and column 22, line 52-column 23, line 10, see Fig. 8).

Kadota & Webb are combinable because they are from the same field of endeavor, being systems that display a status of a connected printer device. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to provide the teachings of Webb within the system of Kadota. The suggestion/motivation for doing so would have been that Kadota's

system would become more user-friendly with the display teachings of Webb, as a user would see different indications for different statuses of the printer, thereby allowing a user to clearly interpret the message, as recognized by Webb in column 6, lines 56-column 7, line 18.

Therefore, it would have been obvious to combine the teachings of Webb with the system of Kadota to obtain the invention as specified in claims 3 and 13.

Regarding *claims 4 and 14*, Kadota and Webb disclose the method and system discussed above in claims 2 and 12, respectively, and Webb further teaches that the presenting the button comprises presenting the button on a printer properties menu (column 10, line 7-column 11, line 10, and column 22, line 52-column 23, line 10, see Fig. 8).

Kadota & Webb are combinable because they are from the same field of endeavor, being systems that display a status of a connected printer device. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to provide the teachings of Webb within the system of Kadota. The suggestion/motivation for doing so would have been that Kadota's system would become more user-friendly with the display teachings of Webb, as a user would see different indications for different statuses of the printer, thereby allowing a user to clearly interpret the message, as recognized by Webb in column 6, lines 56-column 7, line 18.

Therefore, it would have been obvious to combine the teachings of Webb with the system of Kadota to obtain the invention as specified in claims 4 and 14.

Regarding *claims 7 and 17*, Kadota discloses the method and system discussed above in claims 1 and 17, respectively, but fails to expressly disclose of providing the first indication comprises presenting a first button, and providing the second indication comprises presenting a second button.

Webb discloses a method for informing a user in a GUI environment whether an output device is currently ready for printing (see abstract, and column 7, line 54-column 8, line 31) comprising determining whether the output device is *ready* for printing (column 19, lines 1-59, and column 22, line 52-column 23, line 10), providing a first indication to the user if the output device is *not ready* for printing (printer button 304 having alert 306, seen in Fig. 8, column 22, line 52-column 23, line 10), and providing a second indication to the user if the output device is *ready* for printing (printer button 303 and 305, seen in Fig. 8, column 19, lines 1-59, and column 22, line 52-column 23, line 10). Further, Webb teaches of providing the first indication comprises presenting a first button, and providing the second indication comprises presenting a second button (column 10, line 7-column 11, line 10, and column 22, line 27-column 23, line 10, see Fig. 8).

Kadota & Webb are combinable because they are from the same field of endeavor, being systems that display a status of a connected printer device. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to provide the teachings of Webb within the system of Kadota. The suggestion/motivation for doing so would have been that Kadota's system would become more user-friendly with the display teachings of Webb, as a user would see different indications for different statuses of the printer, thereby allowing a user to clearly interpret the message, as recognized by Webb in column 6, lines 56-column 7, line 18. Therefore, it would have been obvious to combine the teachings of Webb with the system of Kadota to obtain the invention as specified in claims 7 and 17.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joe Pokrzywa whose telephone number is (571) 272-7410. The examiner can normally be reached on Monday-Friday, 9:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L. Coles can be reached on (571) 272-7402. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Joseph R. Pokrzywa
Primary Examiner
Art Unit 2625

jrp

